

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**

UNITED STATES OF AMERICA,

Plaintiff,

-vs-

LORENZO ELIAS MENDEZ,

Defendant.

Case No. 1:18-CR-02037-SMJ

CRIMINAL MINUTES

DATE: AUGUST 15, 2019

LOCATION: YAKIMA

JURY TRIAL – Day Four

Hon. Salvador Mendoza, Jr.		
Debbie Brasel	01	Kim Allen
Courtroom Deputy	Law Clerk	Court Reporter
Alison L. Gregoire and Thomas J. Hanlon		Kenneth D. Therrien
Government Counsel		Defendant's Counsel

☒ Open Court☐ Chambers☐ Telecon**8:15 am****All parties present****w/o jury**

Court and counsel discuss the final jury instructions proposed by the Court

Mr. Hanlon advises Court of the government's objection to the final jury instructions proposed by the Court

Comments by Mr. Therrien

Court advises counsel of the Court's intention to produce the binder to the jury for their deliberations and the binder will be returned to the Court at both the noon recess and at the end of their deliberations each day if they go beyond a day. Further, with regards to the video that needs to be available for the jury if they wish to play the video, The Court thinks it makes sense to have the government produce a laptop so that they could play the video, as it is not loaded on the JERS system, It makes sense that laptop that is produced for the jury needs to have no other information on that laptop except for the ability to play this exhibit.

Comments by Ms. Gregoire

Jury brought into open court at 8:30 am**all parties present****w/jury****8:31 am Lorenzo Mendez Resumes Stand, Previously Sworn to Testify**

Direct by Mr. Therrien continues

[XX] ORDER FORTHCOMING

CONVENED: 8:15 A.M. 10:30 A.M. 1:30 P.M.	ADJOURNED: 10:20 A.M. 11:30 A.M. 3:20 P.M.	TIME: 1:05 HR. 1:00 HR. 1:50 HR. TOTAL: 3:55 HR.	CALENDARED [XX]
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USA -vs- Mendez
1:18-CR-02037-SMJ
Jury Trial – Day Four

August 15, 2019
Page 2

Mr. Therrien and witness discuss **Defendant's Identification No. 1006 (Birthday Card, Bates Nos. 1121 to 1122)** and moves for its admission
Objection by Ms. Gregoire

Court: Defendant's Identification No. 1006 admitted as Defendant's Exhibit No. 1006

Defendant Exhibit No. 1006 published to the jury

Direct by Mr. Therrien continues

9:30 am Cross by Ms. Gregoire

Ms. Gregoire and witness discuss **Government's Exhibit No. 68 previously admitted**

Cross by Ms. Gregoire continues

Ms. Gregoire and witness discuss **Government's Exhibit No. 39 previously admitted**

Cross by Ms. Gregoire continues

Ms. Gregoire and witness discuss **Government's Exhibit No. 19 previously admitted**

Cross by Ms. Gregoire continues

Ms. Gregoire and witness discuss **Government's Exhibit No. 11 previously admitted**

Cross by Ms. Gregoire continues

Ms. Gregoire and witness discuss **Government's Exhibit No. 67 previously admitted**

Cross by Ms. Gregoire continues

Ms. Gregoire and witness discuss **Government's Exhibit No. 2 previously admitted**

Cross by Ms. Gregoire continues

Ms. Gregoire and witness discuss **Government's Exhibit No. 90 previously admitted**

Cross by Ms. Gregoire continues

Ms. Gregoire and witness discuss **Government's Exhibit No. 13 previously admitted**

Cross by Ms. Gregoire continues

Ms. Gregoire and witness discuss **Government's Exhibit No. 83 previously admitted**

Cross by Ms. Gregoire continues

Ms. Gregoire and witness discuss **Government's Exhibit No. 84 previously admitted**

Cross by Ms. Gregoire continues

Witness steps down

Court admonishes jury

Jury excused from open court at 10:17 am

USA -vs- Mendez
1:18-CR-02037-SMJ
Jury Trial – Day Four

August 15, 2019
Page 3

**All parties present
w/o jury**

Court advises counsel that copies of the proposed Final and proposed Forfeiture Jury Instructions have been handed to the parties for their review

**Recess: 10:20 am
Reconvene: 10:30 am
all parties present
w/jury**

10:30 am Lorenzo Mendez Resumes Stand, Previously Sworn to Testify

Cross by Ms. Gregoire continues

Ms. Gregoire and witness discuss **Government's Identification No. 85 (9 photos of the inside of a patrol car which is similar to defendant's assigned patrol car) not offered**

Cross by Ms. Gregoire continues

Ms. Gregoire and witness discuss **Government's Exhibit No. 90 previously admitted**

Cross by Ms. Gregoire continues

Ms. Gregoire and witness discuss **Government's Exhibit No. 84 previously admitted**

Cross by Ms. Gregoire continues

10:56 am Re-direct by Mr. Therrien

10:59 am Re-cross by Ms. Gregoire

Voir dire of witness by Court

Witness steps down

Defense rests

11:00 am Lieutenant Jeffrey Chumley, Yakama Nation Police Department, called as a Rebuttal Witness, Sworn to Testify

Direct by Mr. Hanlon

11:08 am Cross by Mr. Therrien

Witness steps down and is excused

11:12 am Acting Sergeant Raymond Enriquez, Yakama Nation Police Department, called as a Rebuttal Witness, Sworn to Testify

Direct by Mr. Hanlon

11:15 am Cross by Mr. Therrien

Witness steps down and is excused

Government rests

USA -vs- Mendez
1:18-CR-02037-SMJ
Jury Trial – Day Four

August 15, 2019
Page 4

Defense rests

Jury excused from open court at 11:17 am
All parties present
w/o jury

Court and counsel discuss the Court's Proposed Final Jury Instructions

Recess: 11:30 am
Reconvene: 1:30 pm
All parties present
w/o jury

Court and counsel discuss the Court's Final Jury Instructions

Jury brought into open court at 1:30 pm
All parties present
w/jury

Court gives final Instructions to the Jury

1:58 pm Closing argument by Ms. Gregoire
2:18 pm Closing argument by Mr. Therrien
2:49 pm Rebuttal argument by Ms. Gregoire
3:13 pm Oath administered to Court Security Officers to take charge of the jury
3:14 pm Jurors numbered 3 and 10 randomly selected as the alternate jurors
3:15 pm 14 impaneled jurors retired to jury room to deliberate upon a verdict

All parties present
w/o jury
3:16 pm

Discussion between Court and counsel

Recess: 3:20 pm

5:00 pm Jurors were advised they were under the Court's previous admonition. Jurors to return on Friday, August 16, 2019 at 8:30 am to continue deliberations

USA -vs- Mendez
1:18-CR-02037-SMJ
Jury Trial – Day Four

August 15, 2019
Page 5